

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE CITY OF WEST ST. PAUL

In the Matter of the Civil Penalty
Assessed Against:

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

**1120 Ottawa Avenue
West St. Paul, MN 55118**

Issued to:

Candace Trudeau,

Respondent.

The above entitled matter came on for hearing before Administrative Law Judge Eric L. Lipman on September 20, 2012, at 600 North Robert Street, St. Paul, Minnesota. The City of West St. Paul was represented by Laura Vaughn, Crime Prevention Specialist. Sergeant Brent Nagel, West St. Paul Police Department, appeared as a witness for the City. The Respondent was represented by ☒ Self ☐ Attorney <name>.

FINDINGS OF FACT

The Respondent has been issued the following charge(s) for which s/he received proper notice: Ticket # 12-00095, issued on July 19, 2012, for violation of West St. Paul City Code 955.00, repeat nuisance service calls.

☒ After a hearing on this matter, the Administrative Law Judge adopts the facts as submitted by the City, as set forth in the allegations in the Notice and Order for Hearing issued on August 30, 2012.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

CONCLUSIONS OF LAW

1. The City and the Office of Administrative Hearings have subject matter jurisdiction pursuant to West St. Paul City Code § 120.13.

2. The City has complied with all relevant substantive and procedural requirements of Minnesota Statutes, rules and West St. Paul City Code.

3. The Respondent was given timely and proper notice of the hearing in this matter.

4. The City has demonstrated by a preponderance of evidence that Respondent ☒has ☐has not violated the alleged violation(s), to wit, maintained a condition at her home that unreasonably annoys and injures the comfort and repose of the public, and tends to alarm and disturb others.

5. The Administrative Law Judge has considered the duration, frequency of reoccurrence, seriousness, and history of the violation; Respondent's conduct after the issuance of the Notice and Order for Hearing and good faith efforts to comply; the impact of the violation on the community; the Respondent's record of prior City Code violation(s) and other factors appropriate to a just and fair result and;

6. An Order is in the public interest.

Based on the foregoing, the Administrative Law Judge makes the following:

ORDER

☒ A civil penalty of \$200.00 is stayed for a period of one year on the condition there be no same or similar violations.

NOTICE

Pursuant to West St. Paul City Code § 120.15 and Minn. Stat. ch. 14, this Order is the final decision in this case. Any person aggrieved by this decision may seek judicial review pursuant to Minn. Stat. §§ 14.63 to 14.69.

Dated: September 20, 2012

s/Eric L. Lipman

ERIC L. LIPMAN
Assistant Chief Administrative Law Judge

Reported: Digitally Recorded